

Road works qualifications in Scotland

Guidance for Road Works Operatives and Supervisors

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1. Key Points

- In April 2017 new regulations will be laid in the Scottish Parliament, *The Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017*.
- On 4 September 2017, these new regulations will come into force, and the current regulations, *The Road Works (Qualifications of Supervisors and Operatives)(Scotland) Regulations 1992* will be revoked.
- Current Street Works card holders will not have to do anything immediately to move onto to the new system which will be administered on behalf of the Scottish Ministers by the Scottish Qualifications Authority using the Street Works Qualification Register.
- The changes will not affect your existing qualifications or your existing Street Works card - they will remain valid until its expiry date.
- From 4 September 2017, whenever it is time for you to renew your qualifications, **you must be successfully reassessed through a process recognised by one of the approved Awarding Organisations in each** of the prescribed qualifications you wish to renew the registration of.
- Also from 4 September 2017 there will be no requirement to hold any particular combination of (non-key) certificates, as each certificate is a qualification in its own right. You can be assessed (or re-assessed as appropriate) in the certificates which are relevant to your work.
- On renewing the registration of your qualifications, your old style qualifications will automatically be converted to their new equivalent certificates.
- Each certificate will have its own expiry date - there will no longer be a card expiry date.

2. Introduction

- 2.1 The *New Roads and Street Works Act 1991* (NRSWA) requires that there is a qualified operative on site at all times while street works are in progress. The qualifications held must be appropriate for the work being carried out. The Act does not require all of the relevant qualifications to be held by a single operative, the key requirement is that there is always at least one operative on site whose qualifications match the activities being undertaken.
- 2.2 The Act also requires that the site is supervised by a person having a prescribed qualification as a supervisor. The supervisor is not required to be on site at all times. A qualified supervisor might therefore supervise a number of street works sites.
- 2.3 There are 4 tiers to the training and accreditation regime:

- The **Registration Body** maintains the Street Works Qualifications Register (“SWQR”) and issues street works cards. For Scotland, on behalf of the Scottish Ministers, this function is provided by the Scottish Qualifications Authority:-

<http://www.swqr.org.uk/SWQR/Home>

The Scottish Ministers approve Awarding Organisations who can then offer to provide their version of road work qualifications in Scotland;

- Approved **Awarding Organisations** approve assessment centres, carry out on-going quality assurance of centres, issue certificates to successful candidates and notify the Registration Body of each candidate’s success. Awarding Organisations eligible to award road works qualifications are listed on the Registration Body’s web site at <http://www.swqr.org.uk/SWQR/Home>;
- Approved **Assessment Centres** assess candidates’ competence, inform the relevant Awarding Organisation and request that the Registration Body register the relevant qualifications. They can also provide training if required;
- **Candidates** may be qualified as an operative, a supervisor, or both. A supervisor qualification does not automatically mean that a successful candidate is qualified to work as an operative. However, if a candidate holds both operative and supervisor qualifications, they will be qualified to work as either, or both.

3. Getting qualified

- 3.1 If you do not hold a Street Works card and require one, you must attend an approved assessment centre to have your competence assessed. The centre will assess you in theoretical knowledge and practical skills in your chosen road works subjects. You can undergo training prior to your assessment, however it may not be necessary if you have sufficient relevant practical experience.
- 3.2 If you are successful in the assessment of your competence for your chosen road works qualifications, the assessment centre will notify the Awarding Organisation. The Awarding Organisation will then contact the Registration Body to confirm that they have awarded a certificate to you and the date on which it was awarded. The Registration Body will record the certification date related to your qualification on the Street Works Qualification Register and issue you with a Street Works card. Each individual certificate which you have been successfully awarded for all of your qualifications will be recorded on the card, and each period of registration will last for 5 years from the date on which you were assessed as being competent for that qualification.

4. Certificates

4.1 Under the existing regulations, there are 16 **units of competence which are often grouped in various combinations to award qualifications** – from 4 September 2017 there will be 16 **certificates you can obtain in subjects which are now qualifications in their own right**. The new structure is as follows:

4.2 **Key certificate for both** operatives and supervisors:
LA - *Location and Avoidance of underground apparatus*

4.3 **Operative certificates awarded in the following subjects:**

- O1 - *Signing, Lighting and Guarding (Key certificate)*
- O2 - *Excavation in the road*
- O3 - *Reinstatement and compaction of backfill materials*
- O4 - *Reinstatement of sub-base and base in non-bituminous materials*
- O5 - *Reinstatement in cold lay bituminous materials*
- O6 - *Reinstatement in hot-lay bituminous materials*
- O7 - *Reinstatement of concrete slabs*
- O8 - *Reinstatement of modular surfaces, concrete footways*

4.4 **Supervisor certificates awarded in the following subjects:**

- S1 - *Monitoring Signing, Lighting and Guarding (Key certificate)*
- S2 - *Monitoring excavation in the road*
- S3 - *Monitoring reinstatement and compaction of backfill materials*
- S4 - *Monitoring reinstatement of sub-base and base in non-bituminous materials*
- S5 - *Monitoring reinstatement in bituminous materials*
- S6 - *Monitoring reinstatement of concrete slabs*
- S7 - *Monitoring reinstatement of modular surfaces, concrete footways*

4.5 **LA and O1 are the two key certificates for operatives.** If you are an operative, you must hold certificates in the following subjects which have a valid current registration in the SWQR to be qualified to excavate or reinstate:

- LA - *Location & Avoidance of underground apparatus;*
- O1 - *Signing, Lighting and Guarding; and*
- any of the certificates O2 to O8 as described at paragraph 4.3 above as appropriate for the work you do.

4.6 **LA and S1 are the two Key certificates for supervisors.** If you are a supervisor, you must hold certificates in the following subjects which have a valid current registration in the SWQR to be qualified to monitor excavation or reinstatement:

- LA - *Location & Avoidance of underground apparatus;*
- S1 - *Monitoring Signing, Lighting and Guarding; and*
- certificates S2 to S7 as described at paragraph 4.4 above as appropriate for the work you do.

4.7 There will be no requirement to hold any particular combination of non-key certificates. As long as you hold the Key certificates, you will be able to choose to hold whichever of the other certificates are appropriate for the work you do.

For example, if you only want to be qualified to carry out reinstatement in hot-lay bituminous materials, you will be required to hold the two Key certificates plus O6 for operatives or the two Key certificates plus S5 for supervisors.

4.8 **Key certificates** will appear on the front of the card, others will appear on the back. The registration of **Key certificates must remain valid for any others to be valid**, therefore:

- If the registration of O1 expires, **the registration of ALL of the Operative certificates** on the back of the card become invalid;
- If the registration of S1 expires, **the registration of ALL of the Supervisor certificates** on the back of the card become invalid;
- If the registration of LA expires, the registration of **EVERY certificate** on the back of the card becomes invalid.

4.9 If the registration of a Key certificate expires, you will not lose the benefit of the registration of the other certificates altogether. In effect the registration is suspended and they will become valid again upon renewal (following successful reassessment) of the registration of expired Key certificate/s. **However, if you take account of the expiry dates for the registration of Key certificates, and anticipate the need to have your competence in the relevant qualification subject reassessed and a further certificate successfully awarded, you will be able to avoid this scenario.**

4.10 Although O1 is a key certificate, Signing, Lighting and Guarding is not itself a road works activity as defined in NRSWA (i.e. *breaking up or opening the road, or any sewer, drain or tunnel under it, or tunnelling or boring under the road*). You do not, therefore, require a street works card to simply set up signing, lighting and guarding for a road works site.

4.11 You must, however, be "appropriately trained" to comply with the *Safety at Street Works and Road Works* Code of Practice (see final paragraph on page 9 of the Code). Holding a street works card with a valid certificate O1 is one way of demonstrating that you have been appropriately trained for setting out signing, lighting and guarding.

4.12 The second key certificate, Location and Avoidance of Underground Apparatus (LA) is another activity that does not come under the definition of road works. You therefore do not require an LA certificate to simply carry out location and avoidance of underground apparatus, however holding a street works card with a valid certificate LA is one way of demonstrating that you have been appropriately trained. (If you wish to hold a card with only LA, that would be possible with the new style card.)

5. Renewing Certificates

- 5.1 From 4 September 2017, if you are an existing Scottish Street Works card holder, rather than simply renewing the registration of your qualifications to obtain a new Street Works card when it expires (as you do currently), you will have to be reassessed in the qualifications which you held originally. For example, if you are renewing old style operative qualifications in *Reinstatement of construction layers in hot-lay and cold-lay bituminous materials*, you must be reassessed in certificates LA, O1, O5 and O6 (i.e. units 1, 2, 6 and 7 under the old system). **N.B. Renewal of Supervisor qualifications will also have to be by reassessment in the relevant new certificates.** Other than the requirement for reassessment, the main difference will be the way in which the certificates awarded to you are individually listed on your new Street Works card.
- 5.2 You have to be reassessed in **subjects relating to Key certificates that have been issued to you** before the qualifications can be re-registered and a new Street Works card issued to you. As long as the registration of your Key qualification certificates remain current, you can add the registration of as many other certificates which have been issued to you for other road works subjects. These will then listed on the back of your Street Works card.
- 5.3 After 4 September 2017, you can continue to use your existing Street Works card until it expires. If you wish to add the registration of a new certificate awarded to you in a road works subject before your existing card expires, a new style card will be issued to you showing the details of the new certificate together with the details of any other registered qualifications carried over from your original card. The unexpired registered qualifications from your previous card will be converted to their new equivalents while retaining their original expiry dates. Your new style Street Works card will no longer have an expiry date. The registration of every single new qualification awarded to you will have its own expiry date.
- 5.4 You will be able to renew the registration of any certificate which has been issued to you, either by reassessment of your competence in the subject (or by undertaking full assessment – which involves both practical and theoretical assessment of your skills) at any point during the period of time before the registration of the certificate expires. Training is not compulsory however assessment centres may be able to provide it if required.
- 5.5 When the registration of a certificate awarded to you approaches expiry you will be able to renew the registration at any time during its final year without losing the unexpired portion. For example, if you renew a certificate within 10 months of the expiry date, the renewed certificate will last for 5 years and 10 months.
- 5.6 You may also renew the registration of a certificate awarded to you when it has more than a year left to go:
 - If you renew within the first 12 months of the registration of your certificate, the registration period of that new certificate will be 5 years from the date on which you are reassessed as competent.
 - You may also renew a certificate from year 2 to year 4 of its validity period, however in this case the new registration of a certificate awarded to you in that qualification will last for a fixed period of 6 years. (You may wish to do this if you have certificates awarded to you which expire on different dates and prefer to align the renewal dates for their registration in the SWQR).

- 5.7 **A Street Works card is not valid once it has expired.** This is either the card's date of expiry on current cards, or after 4 September 2017, this will be if the registration period associated with a Key qualification certificate has expired, and separately where the registration period associated with the qualification relevant to the work that you do has expired.
- 5.8 Under the current regulations, you may apply to re-register your qualifications up to 3 months after the expiry date shown on your Street Works card. With effect from 4 September 2017 you can renew the registration of a qualification by reassessment any time **up to 5 years after the expiry date.** This may be useful if you stop doing road works for a while then decide to return to the industry.
- 5.9 **N.B.** With effect from 4 September 2017, if **more than 5 years** has passed since the expiry date of the registration period associated with your qualification, you must undergo full assessment of your competence before the qualification can be registered in the SWQR and your Street Works card renewed.

6. Converting to the new style Street Works card

- 6.1 From 4 September 2017 this will happen automatically when your old style card expires - there is no need for you to convert to the new style by a certain date. However, if you add a new certificate to your old style card, the replacement card you receive will be of the new style.
- 6.2 The new style cards will be as shown in Figure 1 (however, there may be some minor differences). The examples shown are for someone who holds all of the possible operative and/or supervisor qualifications, as appropriate.
- 6.3 Main points to note:
 - there is no card expiry date;
 - each certificate will have its own expiry date;
 - Key certificates are listed on the front of the card;
 - other certificates are listed on the rear of the card;
 - security features have been added to the card; **and**
 - a QR or Quick Response code (the square box looking like a tiny crossword puzzle) has been added which will contain the main data on the card.

7. Working across UK internal borders

- 7.1 Road works qualifications are, and shall continue to be, technically equivalent throughout the UK. The only condition for a current Scottish card holder wishing to work in England will be that any Scottish qualification of 5 years old (and therefore reached expiry date) has to have been renewed by reassessment (or full assessment) in order for it to be recognised in England. If you have a qualification that was renewed after 5 years by simply re-registering in Scotland, it is not currently recognised in England. **However if your Scottish registered card is within the first 5 years of your original assessment, it will be recognised in England.**
- 7.2 For example, an original qualification in *Excavation in the road* is currently equivalent in England to:
 - LA *Location and Avoidance of underground apparatus*;
 - O1 *Signing, Lighting and Guarding*; and
 - O2 *Excavation in the road*.
- 7.3 From 4 September 2017 and once your existing street works card expiry date has been reached, you will only be able to register your qualifications if an approved body has issued you with the minimum of a certificate of re-assessment in that subject. As your competence in that subject has been reassessed, the qualification will be recognised in England, and throughout the rest of the UK.
- 7.4 Tables 1 and 2 cover all of the new certificates and their equivalents in the UK. These two *Tables of Equivalence* will also appear on the website of SWQR, the UK Registration Body for road works qualifications.

8. Recognition of Awarding Organisations in Scotland

8.1 Any organisation wishing to be recognised as an Awarding Organisation for the delivery of NRSWA road works qualifications for operatives and supervisors in Scotland must be added to the relevant Scottish legislation. In order to have their name added to the Scottish legislation an applicant body must :

- Apply in writing to the Scottish Ministers for recognition in Scotland as an Awarding Organisation for road works qualifications (contact details below);
- Advise Scottish Ministers of the basis under which they wish to be recognised;
- Provide evidence of their organisational structure and transparent governance structure;
- Provide evidence that they have the resources and expertise available to facilitate qualification delivery throughout the lifespan of the qualifications that they seek to offer;
- Provide examples of each of the qualifications they wish to offer;
- Demonstrate that they have procedures in place to ensure that all assessment and verification staff are appropriately qualified and have current occupational competence with respect to Scottish road works qualifications;
- Demonstrate that their Quality Assurance procedures will ensure that their approved training and assessment centres are carrying out quality assurance checks on qualification delivery.

8.2 Upon receipt of the required evidence, the application will be considered by the Scottish Government who will consult with the Scottish Road Works Commissioner before advice being submitted to the Scottish Ministers for their consideration.

8.3 If approved by the Scottish Ministers, the Scottish Government will then take the necessary steps to amend the legislation to add the new organisation to the list of approved bodies.

Figure 1 – The New Street Works Cards

 <p>SWQR No 1234123412</p> <p>GARY STREETER Date of Birth 12/04/1964</p> <p>Key Certificates:</p> <p>LA Location & avoidance of underground apparatus Expiring: 22/07/2018 S1 Monitoring Signing, Lighting and Guarding Expiring: 08/05/2022</p> <p>Keep this card with you at all times while on site.</p> <p>If found please return to SWQR, 58 Robertson Street, GLASGOW, G2 8DQ. 0345 270 2720.</p>	<p>If LA and S1 current, qualified to monitor: Expiring:</p> <table> <tr><td>S2 Excavation in the road/highway</td><td>08/05/2022</td></tr> <tr><td>S3 Reinstatement and compaction of backfill materials</td><td>08/05/2022</td></tr> <tr><td>S4 Reinstatement sub-base and base in non-bituminous</td><td>08/05/2022</td></tr> <tr><td>S5 Reinstatement in bituminous materials</td><td>08/05/2022</td></tr> <tr><td>S6 Reinstatement of concrete slabs</td><td>08/05/2022</td></tr> <tr><td>S7 Reinstatement of modular surfaces, concrete footways</td><td>08/05/2022</td></tr> </table> <p>SWQR No 1234123412</p>	S2 Excavation in the road/highway	08/05/2022	S3 Reinstatement and compaction of backfill materials	08/05/2022	S4 Reinstatement sub-base and base in non-bituminous	08/05/2022	S5 Reinstatement in bituminous materials	08/05/2022	S6 Reinstatement of concrete slabs	08/05/2022	S7 Reinstatement of modular surfaces, concrete footways	08/05/2022
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Operative card

 <p>SWQR No 1234123412</p> <p>GARY STREETER Date of Birth 12/04/1964</p> <p>Key Certificates:</p> <p>LA Location & avoidance of underground apparatus Expiring: 22/07/2018 O1 Signing, Lighting and Guarding Expiring: 22/07/2018</p> <p>Keep this card with you at all times while on site.</p> <p>If found please return to SWQR, 58 Robertson Street, GLASGOW, G2 8DQ. 0345 270 2720.</p>	<p>If LA and O1 current, qualified in: Expiring:</p> <table> <tr><td>O2 Excavation in the road/highway</td><td>22/07/2018</td></tr> <tr><td>O3 Reinstatement and compaction of backfill materials</td><td>22/07/2018</td></tr> <tr><td>O4 Reinstatement sub-base and base in non-bituminous</td><td>22/07/2018</td></tr> <tr><td>O5 Reinstatement in cold-lay bituminous materials</td><td>22/07/2018</td></tr> <tr><td>O6 Reinstatement in hot-lay bituminous materials</td><td>16/03/2020</td></tr> <tr><td>O7 Reinstatement of concrete slabs</td><td>16/03/2020</td></tr> <tr><td>O8 Reinstatement of modular surfaces, concrete footways</td><td>16/03/2020</td></tr> </table> <p>SWQR No 1234123412</p>	O2 Excavation in the road/highway	22/07/2018	O3 Reinstatement and compaction of backfill materials	22/07/2018	O4 Reinstatement sub-base and base in non-bituminous	22/07/2018	O5 Reinstatement in cold-lay bituminous materials	22/07/2018	O6 Reinstatement in hot-lay bituminous materials	16/03/2020	O7 Reinstatement of concrete slabs	16/03/2020	O8 Reinstatement of modular surfaces, concrete footways	16/03/2020
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Supervisor card

 <p>SWQR No 1234123412</p> <p>GARY STREETER Date of Birth 12/04/1964</p> <p>Key Certificates:</p> <p>LA Location & avoidance of underground apparatus Expiring: 22/07/2018 O1 Signing, Lighting and Guarding Expiring: 22/07/2018 S1 Monitoring Signing, Lighting and Guarding Expiring: 08/05/2022</p> <p>Keep this card with you at all times while on site.</p> <p>If found please return to SWQR, 58 Robertson Street, GLASGOW, G2 8DQ. 0345 270 2720.</p>	<p>If LA and O1 current, qualified in: Expiring:</p> <table> <tr><td>O2 Excavation in the road/highway</td><td>22/07/2018</td></tr> <tr><td>O3 Reinstatement and compaction of backfill materials</td><td>22/07/2018</td></tr> <tr><td>O4 Reinstatement sub-base and base in non-bituminous</td><td>22/07/2018</td></tr> <tr><td>O5 Reinstatement in cold-lay bituminous materials</td><td>22/07/2018</td></tr> <tr><td>O6 Reinstatement in hot-lay bituminous materials</td><td>16/03/2020</td></tr> <tr><td>O7 Reinstatement of concrete slabs</td><td>16/03/2020</td></tr> <tr><td>O8 Reinstatement of modular surfaces, concrete footways</td><td>16/03/2020</td></tr> </table> <p>If LA and S1 current, qualified to monitor: Expiring:</p> <table> <tr><td>S2 Excavation in the road/highway</td><td>08/05/2022</td></tr> <tr><td>S3 Reinstatement and compaction of backfill materials</td><td>08/05/2022</td></tr> <tr><td>S4 Reinstatement sub-base and base in non-bituminous</td><td>08/05/2022</td></tr> <tr><td>S5 Reinstatement in bituminous materials</td><td>08/05/2022</td></tr> <tr><td>S6 Reinstatement of concrete slabs</td><td>08/05/2022</td></tr> <tr><td>S7 Reinstatement of modular surfaces, concrete footways</td><td>08/05/2022</td></tr> </table> <p>SWQR No 1234123412</p>	O2 Excavation in the road/highway	22/07/2018	O3 Reinstatement and compaction of backfill materials	22/07/2018	O4 Reinstatement sub-base and base in non-bituminous	22/07/2018	O5 Reinstatement in cold-lay bituminous materials	22/07/2018	O6 Reinstatement in hot-lay bituminous materials	16/03/2020	O7 Reinstatement of concrete slabs	16/03/2020	O8 Reinstatement of modular surfaces, concrete footways	16/03/2020	S2 Excavation in the road/highway	08/05/2022	S3 Reinstatement and compaction of backfill materials	08/05/2022	S4 Reinstatement sub-base and base in non-bituminous	08/05/2022	S5 Reinstatement in bituminous materials	08/05/2022	S6 Reinstatement of concrete slabs	08/05/2022	S7 Reinstatement of modular surfaces, concrete footways	08/05/2022
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Combined operative and supervisor card

Table 1 - Operative certificate equivalents

<p>Certificates below* issued in:</p> <ul style="list-style-type: none"> • Wales • Northern Ireland • Scotland (before 4/9/17) • England (before 6/4/17) <p>* Applies only to certificates that have been obtained or renewed by undertaking assessment or reassessment.</p>	<p>... will be equivalent to the following certificates in England from 6 April 2017, and in Scotland from 4 September 2017.</p> <p>N.B Operative certificates issued in Scotland from 4 September 2017 will directly correlate with those issued in England.</p>
<p>Excavation in the highway/road.</p>	<p>LA Location and avoidance of underground apparatus. O1 Signing, lighting and guarding. O2 Excavation in the highway/road.</p>
<p>Excavation, backfilling and reinstatement of construction layers with a cold lay bituminous surface.</p>	<p>LA Location and avoidance of underground apparatus. O1 Signing, lighting and guarding. O2 Excavation in the highway/road. O3 Reinstatement and compaction of backfill materials. O4 Reinstatement of sub-base and base in non-bituminous materials. O5 Reinstatement in cold lay bituminous materials.</p>
<p>Reinstatement of construction layers in hot-lay and cold lay bituminous materials.</p>	<p>LA Location and avoidance of underground apparatus. O1 Signing, lighting and guarding. O5 Reinstatement in cold lay bituminous materials. O6 Reinstatement in hot-lay bituminous materials.</p>
<p>Reinstatement of concrete slabs.</p>	<p>LA Location and avoidance of underground apparatus. O1 Signing, lighting and guarding. O7 Reinstatement of concrete slabs.</p>
<p>Reinstatement of modular surfaces and concrete footways.</p>	<p>LA Location and avoidance of underground apparatus. O1 Signing, lighting and guarding. O8 Reinstatement of modular surfaces and concrete footways.</p>

Table 2 - Supervisor certificate equivalents

<p>Certificates below* issued in:</p> <ul style="list-style-type: none"> • Wales • Northern Ireland • Scotland (before 4/9/17) • England (before 6/4/17) <p>* Applies only to certificates that have been obtained or renewed by undertaking assessment or reassessment.</p>	<p>... will be equivalent to the following certificates in England from 6 April 2017 and in Scotland from 4 September 2017.</p> <p>N.B Supervisor certificates issued in Scotland from 4 September 2017 will directly correlate with those issued in England.</p>
Monitoring excavation in the highway/road.	LA Location and avoidance of underground apparatus. S1 Monitoring signing, lighting and guarding. S2 Monitoring excavation in the highway/road.
Monitoring excavation, backfilling and reinstatement of construction layers with bituminous materials.	LA Location and avoidance of underground apparatus. S1 Monitoring signing, lighting and guarding. S2 Monitoring excavation in the highway/road. S3 Monitoring reinstatement and compaction of backfill materials. S4 Monitoring reinstatement of sub-base and base in non-bituminous materials. S5 Monitoring reinstatement in bituminous materials.
Monitoring reinstatement of construction layers in bituminous materials.	LA Location and avoidance of underground apparatus. S1 Monitoring signing, lighting and guarding. S5 Monitoring reinstatement in bituminous materials.
Monitoring reinstatement of concrete slabs.	LA Location and avoidance of underground apparatus. S1 Monitoring signing, lighting and guarding. S6 Monitoring reinstatement of concrete slabs.
Monitoring reinstatement of modular surfaces and concrete footways.	LA Location and avoidance of underground apparatus. S1 Monitoring signing, lighting and guarding. S7 Monitoring reinstatement of modular surfaces and concrete footways.

Contact details

If you have any queries regarding the content of this document, please contact :

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